



DEPARTMENT OF THE NAVY

OFFICE OF THE CHIEF OF NAVAL OPERATIONS

2000 NAVY PENTAGON

WASHINGTON, DC 20350-2000

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Ser DNS-36SF/15U108122

December 11, 2015

Sent via email to: gellmanb@gmail.com

Mr. Barton Gellman
Washington Post
901 West End Avenue
Apartment 12A
New York, NY 10025

Dear Mr. Gellman:

This is our final response to your Freedom of Information Act (FOIA) and Privacy Act (PA) request dated July 8, 2015 received in our office on the same day and assigned case number, DON-NAVY-2015-007331. This office initially replied to you on July, 22, 2015. You appealed that decision on August 26, 2015 and that appeal was assigned appeal number DON-2015-008780. This appeal was remanded to this office in part and assigned remand number DON-NAVY-2015-009972.

This office was directed to respond to your request in which you seek the following: copies of all records that mention your name held by the Department of the Navy.

Since you are seeking records on yourself under both the Privacy Act and the Freedom of Information Act, your requests was processed under the provisions of both the Privacy Act and the Freedom of Information Act.

Under the Freedom of Information Act, we have determined that your request is overly broad, and, therefore, is not reasonably described, as it provides an unrestricted scope in which any but the most meticulous of searches could be ruled inadequate. As a result, it precludes a knowledgeable individual from conducting a search with a reasonable amount of effort. Requests for records must enable an agency to determine precisely what records are being requested. With regard to the information you are seeking, your request does not meet the minimum requirements of the FOIA, necessary for processing by the Department of the Navy (DON).

The DON does not maintain a centralized document index/repository to allow for the identification of documents by

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electronic word searches in text or to accommodate the retrieval of documents by a simple subject. The DON FOIA program is decentralized, as are our human resources, investigative components, and manning and staffing components, with service centers distributed throughout the DON organizational structure. Accordingly, individual subcomponents maintain their own FOIA processing files.

Analyzing your request under the Privacy Act, this office has determined that you must comply with the requirements of the Privacy Act Instruction, SECNAVINST 5211.5E in order to seek access to Privacy Act records. Specifically, since you are seeking access to records about yourself, you must provide specific identifying data to enable a search for the requested record. Here, this office is unable to respond to "blanket" requests for access or copies of "all records pertaining to them," because a centralized index does not exist. Accordingly, it is the requester's responsibility to provide sufficient identifying data to identify the specific PA system of records notice for which you seek information. The Department of the Navy maintains over 160 System of Record Notices (SORNs). All Department of Navy systems of records that are searchable by personally identifiable information, in accordance with the Privacy Act, are listed at <http://dpclo.defense.gov/privacy/SORNS/SORNS.html>. All Department of the Navy systems of records that are searchable by personally identifiable information are listed at <http://dpclo.defense.gov/privacy/SORNS/component/navy/index.html>

If you desire, you may submit your request, stating which specific systems of records or component/command office you believe would hold records related to yourself or your activities, or provide sufficient information for this office to identify the most appropriate system of records or component to search.

Because your request is denied, you are advised of your right to appeal this determination by writing to:

Office of the Judge Advocate General
1322 Patterson Ave, SE, Ste. 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be postmarked within sixty calendar days from the date of this letter. A copy of your initial request and

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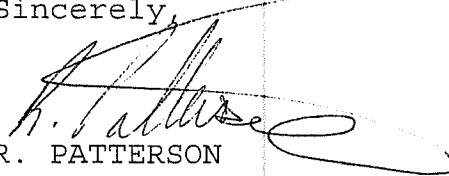
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the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this decision to be in error.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at donfoia-pa@navy.mil or (202) 685-0412.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Patterson", with a large, stylized flourish extending to the right.

R. PATTERSON

Head, DON PA/FOIA Program Office